

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

STATE OF OHIO, ex rel. DAVE YOST  
ATTORNEY GENERAL OF OHIO

*Plaintiff,*

v.

ASCENT HEALTH SERVICES LLC; EXPRESS  
SCRIPTS, INC.; CIGNA GROUP; EVERNORTH  
HEALTH, INC.; PRIME THERAPEUTICS LLC;  
HUMANA PHARMACY SOLUTIONS, INC.;  
HUMANA INC.

*Defendants.*

Civil Action No. 2:23-cv-1450  
Judge Michael H. Watson  
Magistrate Judge Chelsey M. Vascura

**NOTICE OF APPEAL**

Notice is hereby given that Defendants Express Scripts, Inc. and Prime Therapeutics LLC, along with Defendants Ascent Health Services LLC, The Cigna Group, Evernorth Health, Inc., Humana Pharmacy Solutions, Inc., and Humana Inc.,<sup>1</sup> appeal to the United States Circuit Court of Appeals for the Sixth Circuit from the Opinion and Order granting Plaintiff State of Ohio's Motion to Remand and Judgment, which were entered in this action on January 2, 2024 (ECF Nos. 97, 98) and are attached hereto as Exhibits A and B (together, the "Remand Order"). The Remand Order is immediately appealable because the case was removed pursuant to 28 U.S.C. § 1442. *See* 28 U.S.C. § 1447(d).

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<sup>1</sup> Defendants The Cigna Group and Evernorth Health, Inc., as well as Humana Pharmacy Solutions, Inc. and Humana Inc., previously filed respective motions to dismiss for lack of personal jurisdiction (ECF Nos. 41, 42), and this Notice is made without waiver of their jurisdictional defenses which they continue to maintain.

Dated: January 5, 2024

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on January 5, 2024, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties in this case by operation of the Court's CM/ECF system. Parties may access this filing through the Court's system.

/s/ David J. Butler

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